

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

GEORGE A. LAGUER,

Plaintiff,

v.

H. ARREOLA, et al.,

Defendants.

No. 1:24-cv-00979-SAB (PC)

ORDER DIRECTING CLERK OF COURT TO
RANDOMLY ASSIGN A DISTRICT JUDGE
TO THIS ACTION

FINDINGS AND RECOMMENDATIONS
RECOMMENDING DISMISSAL OF CLAIMS
AND DEFENDANTS

(ECF No. 10)

Plaintiff is proceeding pro se and in forma pauperis in this action filed pursuant to 42 U.S.C. § 1983.

On September 26, 2024, the Court screened Plaintiff's complaint, and found that he stated a cognizable claim for failure to protect against Defendants August Vasquez, L. Pantoja, F. Correia, and patio security and escort officers (John Does 1 through 3). (ECF No. 9.) However, Plaintiff failed to state any other cognizable claims. Plaintiff was granted the opportunity to file an amended complaint or notify the Court of his intent to proceed on the claims found to be cognizable. (*Id.*) On October 29, 2024, Plaintiff filed a notice of intent to proceed on the claim found to be cognizable. (ECF No. 10.)

1 Accordingly, it is HEREBY ORDERED that the Clerk of the Court shall assign a District
2 Judge to this action

3 Further, it is HEREBY RECOMMENDED that:

- 4 1. This action proceed against Defendants August Vasquez, L. Pantoja, F. Correia,
5 and patio security and escort officers (John Does 1 through 3); and
6 2. All other claims and Defendants be dismissed from the action for failure to state a
7 cognizable claim for relief.

8 These Findings and Recommendations will be submitted to the United States District Judge
9 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within **fourteen (14)**
10 **days** after being served with these Findings and Recommendations, Plaintiff may file written
11 objections with the Court, limited to 15 pages, including exhibits. The document should be
12 captioned "Objections to Magistrate Judge's Findings and Recommendations." Plaintiff is advised
13 that failure to file objections within the specified time may result in the waiver of rights on appeal.
14 Wilkerson v. Wheeler, 772 F.3d 834, 838-39 (9th Cir. 2014) (citing Baxter v. Sullivan, 923 F.2d
15 1391, 1394 (9th Cir. 1991)).

16
17 IT IS SO ORDERED.

18 Dated: **October 31, 2024**


UNITED STATES MAGISTRATE JUDGE